



CALIFORNIA DEPARTMENT OF
FOOD & AGRICULTURE

A. G. Kawamura, Secretary

December 17, 2008

**NOTICE OF PUBLIC HEARING TO CONSIDER THE CONTINUATION OF
THE MARKETING ORDER FOR THE PROMOTION OF GLOBE ARTICHOKE**

TO THE PRODUCER OF ARTICHOKE ADDRESSED:

Section 59086 of the California Marketing Act, (*Chapter 1 of Part 2, Division 21 of the Food and Agricultural Code*), requires the California Department of Food and Agriculture (CDFA) to conduct a public hearing every five years to consider continuation of the Marketing Order for the Promotion of Globe Artichokes (Program). The last hearing regarding the continuation of the Program was conducted in 2004. Therefore, notice is hereby given that a public hearing is being called to once again consider continuation of the Program. As you may be aware, the Program is a State marketing order that is authorized to conduct promotional and research activities relating to Globe artichokes. The activities are funded by a mandatory assessment upon all California globe artichoke producers. This program has been operating since 1960. The hearing is scheduled as follows:

DATE/TIME	LOCATION
Wednesday, January 28, 2009 Beginning at 10:00 a.m.	North County Chamber of Commerce 10683 Merritt Street Castroville, CA 95012 (831) 633-4411

HEARING PROCEDURE

At the hearing, CDFA staff will present testimony with respect to the procedure used to develop the official list of Globe artichoke producers used to mail this Notice of Public Hearing, and will receive testimony and evidence, both oral and documentary, with respect to all necessary and relevant matters, specifically including the following:

1. The matters covered in Article 6, commencing with Section 58771, and Article 7, beginning with Section 58811, of the California Marketing Act (Act), that relate to the public hearing process, including notification of affected parties and the process of the hearing itself.
2. The extent to which the Marketing Order is reasonably calculated to attain the objectives which are sought in such marketing order.
3. The extent to which the Marketing Order is in conformity with the provisions of the Act and within the applicable limitations and restrictions that are set forth in the Act and will tend to effectuate the declared purposes and policies of the Act.



4. The extent to which the interests of consumers of such commodity are protected in that the powers of the Act are being exercised only to the extent that is necessary to attain such objectives.

In making any findings pursuant to this section, the Secretary of CDFA shall base his findings upon the facts, testimony, and evidence which are received at the public hearing together with any other relevant facts which are available to him from official publications or institutions of recognized standing.

HEARING PREPARATION

At the hearing, those who favor the continuation of the Program should offer testimony that supports the activities being carried out by the Program in utilizing the assessment funds collected by the program. Witnesses should provide examples of how the Program's activities have benefited the industry. Any benefits that have been derived during the term of the program may be offered, but the emphasis should be on recent accomplishments. Supporters of the Program may also wish to discuss the future needs of the industry that could be addressed if the Program was continued.

Those against the continuation of the Program should provide testimony and give examples of why they believe the Program has not worked for the industry. Arguments should support the premise that the industry's interests would be better served without the program.

In preparing their testimony, witnesses should direct their comments toward the following areas:

Performance of the Program

- What have been the most significant accomplishments or deficiencies of the Program over the past five years? Is the industry better off because of the Program or has it not been cost effective? Have the Program's activities benefited the artichoke industry? If so, how? If not, why not?
- Is there a better way to advance the interests of artichoke producers other than through the operation of this Program?
- Is the Program capable of addressing the problems of the industry? If not, why not? If so, why? Are there changes that in your opinion are necessary to allow the Program to better serve the good of the industry? If so, please provide specific examples/details.
- Are assessment monies being spent to advance the interests of the greatest number of producers? If not, why not? Are there ways in which the cost efficiency of the Program's activities could be improved?
- Have the activities of the Program helped create and reinforce value for artichokes?
- Has the Program modified its activities over time to ensure its activities remain relevant to key customers in a changing marketplace?
- Are there additional activities the Program could undertake to better serve the industry and the public?
- Are there any specific examples of how the Program's activities have benefited the industry?
- Has the Program met the declared purposes and attained the declared objectives specified in the Act?

Purposes of the Marketing Act

In addition, witnesses should provide any examples of the Program's activities that have fulfilled the following purposes of the Marketing Act as identified in Section 58654 of the Food and Agricultural Code. The purposes are as follows:

- (a) To enable producers to more effectively correlate the marketing of commodities with the market demands for those commodities.
- (b) To establish the orderly marketing of commodities.
- (c) To provide methods and means for the maintenance of present markets, or for the development of new or larger markets, for commodities that are grown within this state or for the prevention, modification, or elimination of trade barriers that obstruct the free flow of those commodities to market.
- (d) To eliminate or reduce economic waste in the marketing of commodities.
- (e) To restore and maintain adequate purchasing power for the producers.
- (f) To inform the general public of the processes of producing agricultural commodities.
- (g) To foster cooperation and understanding between urban and rural sectors of society.

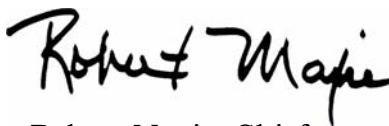
HEARING PARTICIPATION

All artichoke producers and other interested persons are invited to attend and participate in this public hearing. Additionally, written comments will be accepted if mailed to this office **postmarked no later than January 28, 2009**, to the attention of Ms. Janyce Wong, CDFA – Marketing Branch, 1220 N Street, Sacramento, CA 95814.

The hearing transcript and all written comments postmarked or otherwise received within the allowed time frame will be considered by CDFA in determining if the Program will be authorized to continue. If the testimony presented at the hearing generally supports the continuation of the Program, CDFA may authorize it to operate for another five years. However, if CDFA finds from the submitted evidence that a substantial question exists as to whether the Program is fulfilling its declared purposes; CDFA will conduct a vote of artichoke producers to determine whether the Program should be continued.

All artichoke producers and other interested persons are invited to attend and participate in this hearing. If you have any questions regarding this hearing, please call Ms. Patricia Hopper, Program Manager, at (831) 633-4411 or Ms. Janyce Wong of the Marketing Branch at (916) 341-6005.

Sincerely,



Robert Maxie, Chief
Marketing Branch